

**ASSEMBLY BILL**

**No. 1933**

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**Introduced by Assembly Member Gordon**

February 22, 2012

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An act to amend Section 14596 of the Public Resources Code, relating to beverage containers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1933, as introduced, Gordon. Beverage containers: enforcement.

(1) The existing California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment to the Department of Resource Recycling and Recovery, for each beverage container, as defined, sold or transferred, for deposit in the California Beverage Container Recycling Fund. Existing law requires any person importing more than a 100 pounds of aluminum, bimetal, or plastic beverage container material, or more than 1,000 pounds of glass beverage container material, into the state to report the material and provide an opportunity for inspection and prohibits any person from falsifying documents required pursuant to the act or the regulations adopted by the department. A violation of the act is a crime.

This bill would decrease the amount of materials for which a person is required to report to the department to 25 pounds of aluminum, bimetal, or plastic beverage container material, or more than 250 pounds of glass beverage container material, and would additionally require the person to provide the department with certain documentation regarding those materials. Since a violation of this requirement would be crime, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 14596 of the Public Resources Code is  
2 amended to read:

3 14596. (a) Any person importing more than ~~100~~ 25 pounds of  
4 aluminum, bimetal, or plastic beverage container material, or more  
5 than ~~1,000~~ 250 pounds of glass beverage container material, into  
6 the state, shall report the material to the department and provide  
7 the department with ~~an~~ all of the following:

8 (1) *Documentation on the source of the material.*

9 (2) *Documentation on the destination of the material.*

10 (3) *An opportunity for inspection, in accordance with the*  
11 *regulations adopted by the department.*

12 (b) The department may impose civil penalties pursuant to  
13 Section 14591.1 or take disciplinary action pursuant to Section  
14 14591.2 for a violation of this section.

15 SEC. 2. No reimbursement is required by this act pursuant to  
16 Section 6 of Article XIII B of the California Constitution because  
17 the only costs that may be incurred by a local agency or school  
18 district will be incurred because this act creates a new crime or  
19 infraction, eliminates a crime or infraction, or changes the penalty  
20 for a crime or infraction, within the meaning of Section 17556 of  
21 the Government Code, or changes the definition of a crime within  
22 the meaning of Section 6 of Article XIII B of the California  
23 Constitution.